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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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MAY 21 2003

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Applicant: Robert Linley Muir

Group Art Unit: 3713 OFFICE OF PETITIONS

Application No.: 09/238,535

Examiner: J. K. Brockett

Filed: January 27, 1999

Title: Multi-Platform Gaming Architecture

Filed by Express Mail
(Receipt No. 730027806045)
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pursuant to 37 CFR 1.101
by G. VALENTI AND TRANSLONG

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Honorable Commissioner for Patents
Washington, D.C. 20231

AMENDMENT

This is in response to the Office Action dated February 27, 2002, in which the Examiner:

a) rejected Claims 9, 10 and 13 as non-statutory subject matter because "code" in "platform code" i.e., software or a computer program, is allegedly descriptive material *per se* because it is not capable of causing functional change in the computer;

b) Claims 9, 10 and 13 under §112 as not being because the platform code allegedly cannot execute or separate anything – a computer must be involved performing